

**Peasant Mobilization, Political Opportunities,
and the Unfinished Agrarian Reform in El Salvador**

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Abstract

The recent peasant movement in El Salvador for the implementation of the shelved second phase of the Agrarian Reform is analysed in the light of three dimensions of political opportunities. It is found that the achievement of access to the political system, in the form of a peasant-government commission to investigate peasant land claims, neutralizes disruptive mobilization. At the same time, while the United Nations helps the movement to maintain this forum of access through its role in verifying the Peace Accords, the absence of political party support crucially affects the movement's capacity to realize the objective of land transfers to peasants. Within the social movement sector, a concurrent peasant struggle for cancellation of land debts competes with the land struggle for organizational resources, furthering limiting its ability to exert effective pressure on government.

Keywords

social movements
peasant movements
political opportunities
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Introduction

In the autumn of 1995, hundreds of peasants invaded over 60 agricultural properties in the western and central regions of El Salvador. The mobilization was a show of impatience with the government's failure to fulfill its Constitutional obligations to transfer certain categories of private and state-owned agricultural holdings to poor peasants, obligations which dated back to the 1980 Agrarian Reform. Soon after its dramatic emergence, the movement evolved into an embittered and frequently deadlocked negotiation between peasant leaders and government bureaucrats. By the autumn of 1997 not a single property eligible for transfer had made its way to peasant hands.

This paper will analyse the outcomes and dynamics of the land struggle in El Salvador in the light of political opportunities. Informed by two years of field research, the paper will show how specific features of this movement and its context can help to fine-tune current conceptualizations of political opportunities.¹ The analysis will be preceded by an overview of key questions, insights, and debates regarding the role of political opportunities in shaping movement tactics and outcomes. Following the review of literature, the history of land legislation and peasant mobilization in El Salvador since 1980 will be briefly summarized.

¹The paper is based on field research conducted for a doctoral dissertation between September 1995 and August 1997. It consisted primarily of interviews with leaders of about 30 peasant organizations representing the landless as well as beneficiaries of the Agrarian Reform and subsequent land transfer programs; government officials, United Nations personnel, members of governing and opposition parties, and professionals in economics and agrarian law. Structured and unstructured interviews with about 80 landless and landpoor peasants were also conducted in conjunction with observations of community life of movement participants and their neighbours. In addition, a number of regional meetings and national assemblies of one of the peasant organizations involved in the land struggle were observed.

Review of Literature

The strategies and impact of social movements cannot be explained without taking into account the actions of relevant actors in the political environment. The political process approach, while not the only way of conceptualizing political opportunities, is useful for the present purposes.² Of the various dimensions of political opportunities signalled by scholars who apply this approach, this paper will examine access to the political system, alliances, and the social movement sector.³ For the first two of these dimensions, the discussion departs from their treatment by Brockett (1991), since his is one of the few attempts to illustrate the application of concepts derived from general literature on the political process model to social movements of the Third World.

(i) Access to the Political System

Brockett (1991) defines "meaningful" access to the political system as the receptivity to

²Jenkins (1995) argues that the political process approach is applicable only to liberal democratic contexts. But I concur with Brockett (1991) who argues that scholars have failed to recognize the utility of the approach in relation to underdeveloped and politically authoritarian settings. Brockett demonstrates this utility in a comparison of peasant movements in Central American countries.

³The selection of these three factors and the exclusion of other dimensions of political opportunities, such as repression, elite fragmentation and conflict, and the location of the movement in the protest cycle, all of which are discussed to varying extent by Brockett (1991), is based on what the data permit as well as on certain logical considerations. Repression of the land struggle, most clearly manifest in the government's October 1995 revision of the penal code to punish "usurpers" of private property with stiff jail sentences, can only account for the movement's avoidance of the most disruptive tactics, namely land occupations. It does not explain the virtual absence of mass-based mobilization that followed the 1995 land occupations. Secondly, the research yielded little data on the behaviour of Salvadorean elites. Location in the protest cycle, discussed most thoroughly by Tarrow (1988 and 1989), refers to the impact of concurrent social movement activity on the level of potential support for new opposition movements. But it is not necessary to adopt a cyclical approach in order to understand the impact of interactions among different movements; this factor can be dealt with by looking at the social movement sector.

movement demands on the part of elected representatives, bureaucrats, and other actors who hold "institutionalized and power-wielding" positions in the political system. But there can be different degrees of access to the political system. Schumaker (1975, cited in Burstein et al., 1995) defines a scale of movement success in terms of government responsiveness: access to a hearing with polity members; the inclusion of movement demands in official policy debates; desired policy changes; the implementation of the policies; and the desired impact of the new policies.⁴

In the dialogue between state and social movement, the actions of the latter also need to be specified. Within the neo-pluralist conception, social movement tactics are commonly typologized as institutional vs. non-institutional, the latter referring to actions outside the formal political process and that are intended to disrupt the normal functioning of social institutions (Burstein et al., 1995). But one can conceive of collective action carried out within normal institutional (though not necessarily electoral) channels, which are designed to disrupt them. For example, Piven and Cloward proposed to fellow welfare activists that they organize a flood of new assistance demands to government relief offices (1979, pp. 275-76). A more useful differentiation is that between disruptive and non-disruptive tactics, the latter encompassing electoral campaigns, rallies and other activities.⁵

Borrowed from Kitschelt (1986), a fifth outcome added by Burstein et al (1995) is structural change in the political opportunity structures themselves, as when an opposition group forms a political party. Arguably this dimension does not properly belong to this set since it results from the closure of the system to movement demands (Kitschelt, 1986), and as such is a kind of circumvention of the existing structures.

⁵Disruptive tactics can be further subdivided between those that are "confrontational", involving "aggressive interaction between the protest group and third parties" but not necessarily involving the use of violence by social movement participants (Mirowsky and Ross, 1981), and non-confrontational disruption such as the form of welfare mobilization favoured by Piven and Cloward.

Disruptive tactics include land occupations, demonstrations, marches, and strikes, and can vary in degree of aggression as well as cost to participants.

A further distinction to be made with respect to the tactics of demand expression is that between mass mobilization vs. actions of a few individuals in representation of a larger number of movement constituents.⁶ Even though not all mass mobilization is disruptive, in this formulation disruptive collective action can only be mass-based. A social movement can use a combination of all of these tactics. The question posed here is whether any degree of access to the political system can affect a social movement's disposition for disruptive mobilization. Unfortunately there is little in the literature which would shed light on this matter.⁷ One important exception is the work of Piven and Cloward (1979). They argue that in the case of the four U.S. movements of the poor they studied, low-level access occasioned a permanent loss of the movements' capacity for disruptive action. This is because the state tries to shunt movement demands into non-disruptive channels, which leads to cooptation of movement leaders. To adapt to the formal avenues opened for demand expression, leaders try to bureaucratize the movement. In attempting to create mass membership organizations, which Piven and Cloward argue are unsuitable to poor and oppressed groups, leaders permanently

⁶Such action would encompass the classic Resource Mobilization model in which movement entrepreneurs sell a real or imagined collective need to adherents who provide financing for lobbying, educational campaigns, and other activities, and whose names may join a paper membership list. It also encompasses negotiations by movement leaders on behalf of a base or constituency that is mobilizable for disruptive tactics of demand expression.

⁷With respect to the converse question, that is, how social movement action affects the response of the state, Piven and Cloward (1979) argue that the lower classes can only win state attention to their demands through confrontational actions. This finds support among many scholars of social movements (for example, Burstein et al., 1995; Jenkins, 1979; Mirowsky and Ross, 1981), although Burstein et al. (1995) find that disruptive action achieves only low levels of access to the political system.

forfeit the potential to maximize policy outcomes through mass confrontation.

Critics of the Piven and Cloward thesis point out that the formalization of social movement structures is perfectly compatible with the mobilization of disruptive collective action. But they do not address Piven and Cloward's argument about the effect of access on social movement strategy (Gamson and Schmeidler 1984; Jenkins, 1979; Kesselman, 1979; Majka, 1980; Massad, 1980; Roach and Roach, 1978 and 1980; Valocchi, 1990.)⁸ Kitschelt (1986) does look at the impact of access, but from a structural-comparative rather than processual angle. He demonstrates, with respect to the anti-nuclear power movement, that a political system that is relatively inaccessible to social movement demands generates disruptive mobilization, and conversely, movements use less disruptive tactics in political systems that are relatively more open.

Like Piven and Cloward, Brockett (1991) looks at the impact of access in terms of social movement dynamics. But apart from stating that access "is a crucial determinant of variations in peasant mobilization", Brockett offers no explicit argument about the way this factor works. But his discussion of Central American peasant movements presents a more complex portrayal of state-movement interaction than that of Piven and Cloward. He shows that in and of itself, even at level of policy change, the attainment of access does not preclude a movement's subsequent resort to disruptive mobilization. In Honduras, peasants conducted land occupations both under a government that ruled in favour of peasants' demands for specific properties, and again three years later, in 1972, when a conservative regime closed access to the demands for land and even repressed land invasions. In the former scenario, land occupations were no longer really confrontational as far as the state was

The mass society theory that underpins this thesis, first articulated by Kornhauser (19XX), has been convincingly refuted in earlier studies of social movements (for example, in Pinard, 197X).

concerned, though they certainly remained so for landowning elites. The latter scenario shows that far from being coopted, the movement remained vigilant to the possibility of state back-peddalling on land reform. In the early 1980s, the state again became attentive to land demands, but internal divisions in the movement prevented it from taking advantage of the new opening (Brockett, 1991).

The foregoing discussion demonstrates that the relation between social movement tactics and access to the political system is not a simple one, but one that can be affected by other factors. A tentative conclusion that can be drawn, however, is that social movements do become less disruptive vis-à-vis the state when the latter makes gestures toward meeting its objectives. At the same time, one can expect a movement to resume disruptive actions if access does not move beyond discussion, or if the state reverses or closes access previously opened, provided that no other internal or external factors stand in the way. To put it another way, social movements that gain access to the political system may find it difficult to return to disruptive mobilization in the absence of political opportunities for such tactics.

(ii) Alliances

A social movement's power vis-à-vis the state, and its prospects of success, are enhanced when it combines forces with other actors to mobilize around shared objectives. Tilly states that alliances with polity members are particularly helpful to social movements (Tilly, 1978, pp. 125-26). Alliances between political parties and social movement organizations can be mutually beneficial, since each has resources that the other may need (Maguire, 1995). But with reference to British and Italian disarmament movements, Maguire demonstrates that party-movement coalitions do not necessarily favour the fulfillment of social movement objectives; issues of movement autonomy from, and dependence on the party, affect the fruitfulness of the relationship. Maguire also points out that

whether a party champions a social movement's demands depends on whether it considers them an asset to its electoral prospects. In this respect, the rather obvious point that the more radical a movement's demands, the less chance it has of success (Gamson, 1990; Mirowsky and Ross, 1981) gains relevance if the perceptions and behaviour of political parties are taken as an intervening variable. The preferences of social movements, however, are as important as those of political parties, in terms of whether they form alliances. Here it is argued that party-movement alliances can be extremely helpful to movement objectives, but whether such alliances form depends on the nature of pre-existing party-movement linkages as well as the nature of movement demands.

Apart from political parties, other actors in a social movement's environment can also affect the achievement of its goals. In Latin America, religious organizations helped peasants struggle against injustice by transforming their interpretations of the social and political reality, and breaking their material dependence on rural elites (Brockett, 1991; Wickham-Crowley, 1991; Cabarrús, 1983). For lower class social movements, allies can provide resources needed to bargain with and influence the government (Burstein et al., 1995). Reflecting the dearth of works that apply the political process model to Third World settings, there has been little attention to the performance of this role by international actors. But as this analysis will show, external actors should be considered part of the political opportunity structure of social movements in countries whose politics are greatly shaped by the interests and actions of neighbouring states and multilateral entities. This is not only true in the negative sense as, for example, when international financial institutions inflame social grievances through loan conditionality; external actors can also provide direct or indirect support to social movements by pressuring states to respond to movement demands.

Another aspect of the political environment that affects movement outcomes is the more

diffuse, indirect kind of third party support represented by public sympathy for movement goals. Burstein et al. (1995) and Schumaker (1975 cited in Mirowsky and Ross, 1981) argue that governments respond more positively to social movements when public opinion sides with the movements' demands. In this respect, alliances with established public opinion makers can be very important to lower class social movements, since as Gamson points out (1990), the media often choose people of a professional profile over members of a movement's beneficiary base to be commentators on the issues pertinent to the movement. It is through the media that social movements and their opponents compete for public sympathy in a "framing contest...over whose interpretation will prevail" (Gamson, 1990, p. 171). This is as true in poor countries as it is for the First World context to which Gamson refers. A critical factor for movement success, it is argued here, is the extent to which social movements and/or their allies publicize and attract broad sympathy to the movement's grievances and objectives.

(iii) The Social Movement Sector

This concept is employed to argue that the outcomes of a social movement are shaped by its interaction with other movements that may fully or partly share its goals, or oppose them altogether (Tarrow, 1988). Mirowsky and Ross (1981) hypothesize that the existence of other movement organizations with identical demands enhances a social movement's prospects of success. Here it is argued that where movements with different objectives overlap in terms of organizational infrastructure, leadership, and potential allies, they may compete for crucial resources to the detriment of one or the other movement. Because one of the resources over which movements may compete is the participation of their members, the social movement sector has a bearing on the mobilizational capacity and the outcomes of a movement.

The Legal Foundations of the Land Struggle

The struggle that erupted with the 1995 property invasions has its roots in the Agrarian Reform. Decreed in 1980, the Reform was itself a response to an increasingly militant and unified social movement demanding socio-economic and political democracy. Socio-economic inequalities in the 1970s were most salient in the realm of land ownership; 39% and 4.8% of arable land held by 0.7% and 49%, respectively, of the farming population (Pearce, 1986, p. 27). In the broad movement alliance that formed around land and other demands in the late 1970s, which included students, urban workers and public employees, the peasants were the numerical core.⁹ Recognizing the strength of the organized peasantry, the ruling civilian-military junta viewed land reform as a means of staving rural support for the leftist guerrillas.

Phase I of the Agrarian Reform expropriated properties larger than 500 hectares from 244 landowners for transfer to 38,000 peasants. The Salvadorean Institute for Agrarian Transformation (ISTA), created in 1976, was responsible for compensating the expropriated owners in the form of bonds to mature over 30 years. ISTA would recover the land debts, also payable over a 30-year period, from the 342 peasant cooperatives created in this phase. Phase III of the Reform, christened the "land to the tiller" program, was designed by U.S. advisers in imitation of their counterinsurgency efforts in South Vietnam. It permitted tenant farmers on large and medium properties to apply to become owners of the parcels they were renting. In this phase, administered by the National Financier of Agricultural Lands (FINATA), 47,000 peasant families benefitted with plots averaging 1.5 hectares

Intellectuals, members of the Christian Democratic opposition, labour leaders, progressive Catholic clergy, and others had been calling for land reform in El Salvador since the late 1960s, on humanitarian grounds as well as for the sake of national economic development. See *Memoria del Primer Congreso Nacional de Reforma Agraria*, San Salvador: Publicaciones de la Asamblea Legislativa, 1970.

in size. These two phases of the Reform distributed approximately 300,000 hectares -- a fifth of the cultivable land -- to about an equal proportion of the peasant population (Pelupessy, 1997, pp. 92-97).

Due to strenuous resistance from the rural oligarchy, the second phase of the Reform, which was to have expropriated and transferred holdings between 100h and 500h, was never implemented. Instead, the Constitution was amended in 1983 to establish a limit of 245h on the maximum property size, thereby reducing the area to be affected by this phase from 25% to 3% of the country's agricultural land (Pelupessy, 1997, pp. 92-97). According to Article 105 of the amended Constitution, owners of properties larger than 245 h had until December 20, 1986, to enclose the area they wished to keep, register it officially, and sell or otherwise transfer the remainder to peasants or small farmers excepting close relatives. After that date, proprietors who had not gotten rid of their "*excedentes*" (surpluses) faced expropriation at a price to be determined by ISTA under a new law to be passed at that time. In a separate amendment, Article 104 of the Constitution ordered state-held agricultural lands to be transferred to landless or landpoor peasants.

Renegade landowners, however, were effectively given two additional years to obey or evade the Constitution, since the foreshadowed legislation pertaining to Article 105 was not passed until 1988. That year, Decree 895 mandated ISTA to expropriate and transfer any remaining *excedentes* without allowing owners to choose which part of the property they could keep.¹⁰ That the decree was no more real in its results than the Constitution had been is revealed by the need for further legislation on the matter four years later, with Decree 747. Passed just after the 1992 Peace Accords, this law

Decree 895, passed February 18, 1988, is called "Ley Especial para la Afectación y Destino de las Tierras Rústicas Excedentes de las 245 Hectáreas".

gave ISTA one year to expropriate and transfer all remaining surplus properties.¹¹ The Peace Accords, which were signed by the Salvadorean government and the Farabundo Martí National Liberation Front (FMLN), and which would be overseen by a United Nations Observer Mission,¹² obliged the government to implement Constitution Articles 104 and 105.¹³

Though it was largely unsuccessful as a counterinsurgency measure, and virtually condemned to fail as a development strategy, the Agrarian Reform helped make a dent in land hunger. Migration from the countryside (often for destinations outside the country) during the civil war was another factor in this respect. The best available comparative data indicate that between 1971 and 1991, landlessness fell by 8%, and land poverty by 5.4%, as a proportion of the economically active population (EAP) employed in agriculture (Seligson, 1995, table 5). Nonetheless, the material condition of the Salvadorean peasantry remained critical. Fifty-two percent of the agricultural EAP were landless in 1991. Half of those who did have access to land were tenants, comprising 18.6% of

Decree 747, passed January 17, 1992, is called "Ley del Régimen Especial del Dominio de la Tierra Comprendida en la Reforma Agraria".

The United Nations Observer Mission in El Salvador (ONUSAL) was established in July 1991 to oversee the human rights agreements between the FMLN and the government, agreements which would become part of the Chapultepec Peace Accords. With a staff that came to number over 1,200, ONUSAL oversaw the implementation of accords pertaining to judiciary, military, political, and human rights institutions, as well as the socio-economic accords that included reference to the *excedentes*. After the first post-Peace Accord elections in March 1994, the UN's presence was reduced to less than 100 personnel under the name of the United Nations Mission in El Salvador (MINUSAL). In May 1996, MINUSAL gave way to an entity with a staff of six, called the United Nations Offices for Verification (ONUV) (*Prensa Gráfica*, Dec. 31, 1996, p.6-A). For a discussion of ONUSAL's impact up to the first year after the Chapultepec Accords, see Baranyi and North (1993).

¹³The Accords also generated a special Land Transfer Program (PTT) for demobilized soldiers, guerrillas, and residents of the conflict zones, which would benefit 35,000 individuals and would be financed primarily by donations from USAID.

the agricultural EAP. Of those renting and owning in 1991, 84% did not have enough land to sustain a peasant family above the poverty level. The landless and landpoor together made up 83% of the farming population (Diskin, 1996).¹⁴ Meanwhile, leaders and other members of the peasant organizations allege that many Salvadorean families continue to possess total land holdings measuring in the hundreds of hectares in different locations throughout the country.

The Peasant Organizations

The Democratic Peasant Alliance (ADC) was founded in October 1989 by virtually all the existing peasant organizations in the country, including federations of Reform cooperatives, associations of repatriated refugees and the internally displaced, and the landless and landpoor. Among these was the National Association of Agricultural Workers (ANTA), founded in 1985. ANTA claims credit for pressuring the passage of the secondary legislation on the *excedentes*. During the late 1980s it demanded the implementation of Decree 895 through marches and lobbying activities, which elicited only empty promises from the Minister of Agriculture. After the March 1989 electoral victory of the ultra-right National Republican Alliance (ARENA), a party whose creation

Martin Diskin reinterprets survey data used by Mitchell Seligson. Whereas Seligson's landless category, numbering 198,309 (1995, table 5), comprises only temporary day labourers and some unemployed, Diskin argues convincingly for the inclusion of permanent day labourers, and he also includes all of the rural unemployed. His calculation of the landless, numbering 303,372, disaggregates as 169,432 temporary day labourers, 75,649 permanent day labourers, and 58,293 rural unemployed. Diskin argues that the wisdom of excluding 62,008 unpaid family labourers from this category, as Seligson does, is disputable. If included, they would bring the percentage of landless to 63%. Arguing that Seligson's cut-off point of 0.69 hectares or less as the land area necessary for a rural family to live above the poverty line is unrealistically low, Diskin sets the upper limit at 1.5 h to arrive at his figure for land poverty. Diskin's combined figure of 83% for landless and landpoor contrasts with Seligson's estimate of 51% (1995, table 5).

was based on opposition to the Agrarian Reform, ANTA subordinated its efforts around the *excedentes* to the creation of a broad coalition of peasant resistance to the new government.

ANTA is the oldest and largest of the six peasant organizations that carried out the 1995 land occupations. Like most of the smaller organizations involved in the land struggle, which were formed in the waning years of the civil war, ANTA is legally registered, with formally affiliated members made up of landless peasants and smallholders.¹⁵ ANTA's membership numbers close to 6,000, of whom two thirds live in the western half of the country. Given that the FMLN had drawn most of its combatants and many middle level commanders from the organized peasantry, it is not surprising that it provided crucial organizational resources for the founding of ANTA and like organizations. Despite this linkage, the demands of these organizations vis-à-vis the government reflected the economic grievances and needs of their constituents, while also including respect for human rights and a negotiated end to the war. With the Peace Accords and the transformation of the FMLN into a political party, its links with the peasant organizations were dissolved.¹⁶ But the latter's political

The other organizations are the Communal Association of Western Peasants (ACCO), the largest after ANTA; the Union of Salvadorean Agricultural Workers (SITAS); the Democratic Peasant Association (ADEC); the Democratic Salvadorean Indigenous Association (ASID); and the National Union of Agricultural Workers (UNATA). The smallholders among their members consist mostly of "*tenedores*" (non-combatant peasants who, while residing in the conflictive zones, supported the FMLN during the war and were entitled to land through the PTT); beneficiaries of phase III of the Reform; and beneficiaries of the July 3 Accord, a special agreement resulting from land occupations conducted by the ADC in 1991 that was included in the Peace Accords. The cooperatives created with phase I of the Reform have their own federations and confederations. Most former guerrillas benefitting from the PTT formed separate associations under the auspices of the FMLN.

Until recently, scholars with close knowledge of the relations between the guerrilla organizations and the popular movement were extremely cautious in describing these relations. Today FMLN and social movement leaders come closer to public admission of the more intimate ties they had during the war. For example, an FMLN leader is quoted in a national news daily, "We have delinked; we have let the labour unions have an autonomous relation." *Prensa Gráfica*, Dec. 28, 1995, p. 20-A.

affinities remain with the FMLN, as seen in the candidacy of many of their leaders and members on the FMLN slate in the mayoral and legislative elections of 1994 and 1997.

The Land Occupations

In September 1994, the ADC proposed that the government create a joint ISTA-ADC committee to investigate 370 properties it had identified with the help of its organizations' affiliates as exceeding the Constitutional limit. In January 1995 the government ceded to the ADC's reiterated demand, creating the Commission for the Investigation and Transfer of Properties Exceeding 245 Hectares (C-245). The C-245's work started with the western and central regions. By July the C-245 had identified 43 properties that appeared to have *excedentes*, but in August, after closed meetings with property owners, ISTA unilaterally dismissed 27 of these cases.

Over the next two months the ADC prepared what it called a "political cushion" for the disruptive actions it was prepared to take, combining pressure activities with the protective effect of informing relevant institutions and actors of their grievances. It denounced ISTA's dismissal of C-245 findings in the media, in open letters to the President, and in meetings with the Human Rights Ombudsman Office (PDDH), the UN Observer Mission (MINUSAL), the Special Agrarian Committee of the Commission for The Consolidation of Peace (CEA-COPAZ), the Secretariat of Agrarian Affairs of the FMLN (SAA-FMLN), all three of which took part in C-245, US Embassy officials, and others. While the ADC broadcast an educational radio campaign oriented to landless peasants, and mobilized hundreds in two demonstrations in front of ISTA offices, its organizations held numerous meetings with their members to plan their next steps. Despite making some overtures to the ADC's demands for a re-opening of investigations in mid-October, ISTA subsequently shut the

door on discussing the *excedentes* problem with the ADC.

On October 23, 1995, peasants began invading properties in the western and central regions, where coffee estates of those most notorious for obstructing the Agrarian Reform were located. Within a couple of days, 1,150 peasants occupied 64 properties -- including 17 with coffee plantation -- comprising a total of 13,000 hectares of land available for transfer. According to the ADC, 6,000 peasants stood to benefit from the transfer of this land.¹⁷ ADC leaders notified UN personnel once the occupations were underway. A few groups of peasants were swiftly dislodged from the properties by police but most held their ground, confidently flashing copies of the Constitution. To emphasize the legal basis of their actions, the peasants publicly referred to the occupations as "interventions", a term normally used in reference to governmental expropriation of rural properties through ISTA. Massive police repression was prevented by the presence of UN and the PDDH at the occupied properties. ISTA-ADC talks were quickly renewed, and by October 27, the two reached a formal agreement to form the Joint Group for Follow-up on the Transfer of Holdings in Excess of 245 Hectares (GCN-245). The same week, the ARENA-dominated Assembly passed legislation that revised the penal code to apply stiff jail sentences to "usurpers" of private property. Though it lobbied against this measure, the ADC instructed the peasants to exit the properties as a show of faith in the renewed negotiations.

The organizations allowed official representation in GCN meetings were the ADC; the

The figures on surplus land area and potential beneficiaries were given by Hilario López, a lawyer employed by the ADC (interview, San Salvador, June 1996). The figure for properties containing coffee plantation comes from a report prepared by the SAA-FMLN entitled "Informe del Estado Actual del Programa de Transferencia de los Excedentes de las 245 Hectáreas", June 19, 1996. Eleven of the 64 properties were state-owned. Forty-four of the occupations were carried out by ANTA, twelve by the ACCO, three by ASID, two by SITAS and one by UNATA.

Ministry of Agriculture; ISTA; MINUSAL; the PDDH; CEA-COPAZ (until its dissolution in January 1996); the FMLN-SAA (until December 1995); and several peasant organizations antagonistic to the ADC, though in practice they rarely participated. The GCN would meet to discuss the results of its two interdependent technical teams, one of which would examine the property registers for cases that the peasant organizations submitted, while the other would verify that the properties detected by the first team were actually *excedentes*. Both teams required representation from both ISTA and the peasant organizations. The GCN's final ruling on each property, for presentation to ISTA, would be based on the outcomes of the technical-legal analysis. The GCN, which is the focus of the present discussion, would deal only with privately owned properties; state-held lands would be addressed through different procedures.

Days after the formation of the GCN, several thousand peasants set up permanent encampments in public thoroughfares near the properties they had occupied, to remind the government that their demands were not to be dismissed. The encampments, which lasted until Christmas 1995, signified for many the sacrifice of the entire coffee harvest's wages.¹⁸ Though the encampments initially attracted media attention to the struggle, by the time the peasants went home the issue had all but disappeared from public view. But they departed confident of a quick and favourable resolution, and with the belief that their best strategy was to wait.

¹⁸During this time the six ADC organizations presented to ISTA's Land Transfer Department the personal data of those seeking to benefit from the transfer of the *excedentes*. Peasants later submitted requests for specific properties. In ANTA, the number of properties with *excedentes* solicited by specific groups of peasants increased from 33 in October 1995 to 61 by early 1998, while the individual claimants increased from about 2,000 to 4,553 in the same period (ANTA reports, 1995 and 1998). This occurred because even though some of the occupied properties were discarded in the investigation process, there were many additional properties that peasants who had not participated in the 1995 mobilization subsequently solicited.

Concurrent Peasant Mobilization

On October 31, 1995, the ADC mobilized tens of thousands of peasants in a march to the Legislative Assembly to demand the 100% cancellation of the *deuda agropecuaria*, or agrarian debt. This debt, amounting to roughly \$375 million, was the sum owed to ISTA, FINATA, and the Land Bank by beneficiaries of various land transfer programs, together with what small, medium and large farmers owed for outstanding production loans to the *Banco de Fomento Agropecuario*. ADC mobilization around the debt was soon rivalled by that of the Agricultural Forum. Created in November 1995, the Agricultural Forum was a lobby coalition whose membership included organizations of former guerrillas and government soldiers, Agrarian Reform cooperatives, associations of repatriated refugees, large farmers, leftist professional institutes, and the FMLN-SAA. Over the next 18 months, the ADC and the Forum organized several marches to accompany the presentation of proposals on the debt to the Legislative Assembly, usually on separate dates and with different content. In March 1997, the positions of the ADC, the Forum and a third smaller coalition converged around a joint proposal for total cancellation, with a march by an estimated 40,000 peasants. The proposal was fine-tuned and presented again, with the endorsement of two associations of large agriculturalists, in an even larger mobilization that included workers, students, and other supporters in July 1997.¹⁹

The Land Investigation Process

Interview with Pedro Juan Hernandez, May 1997. The proposal was signed by Ernesto Muyshondt, who headed the *Fundacion Salvadorena Pro-Damnificados del Conflicto* and Ulysses Gonzalez, who headed the *Asociacion de Agricultores del Oriente*. Both groups represented large cattle ranchers, growers of cotton and other commodities with unpaid bank loans from the 1980s.

During the first few months of the GCN process, the ADC resigned itself to findings that overturned many of the results of its own earlier investigations. By the close of 1996, its original set of 370 properties was whittled to about 130. Some proprietors were found to have divided and transferred their holdings in accordance with the law.²⁰ A further 72 properties had been expropriated and transferred through the PTT, mostly to demobilized soldiers. But many cases were mired in circumstances that were too complicated and murky to unravel.²¹ Even for the majority of the 130 cases still under consideration, technical-legal sleight of hand was the norm. The most common finding was that owners of *excedentes* had created "*sociedades colectivas*" -- entities of co-ownership among a few individuals. Though the *sociedad colectiva* was not illegal, some were suspected or even known to have been created after the 1988 deadline.²² Similarly, many proprietors transferred *excedentes* to third parties after 1988. Many also transferred surplus land to close relatives or others not qualified under the law to receive it. Several individuals falsely titled surplus holdings to their own names. For some proprietors, the registers did not reflect the true land area in their possession.²³

The ADC had documented at least 32 such cases by June 1996.

María Silvia Guillén, a specialist in agrarian law of the Centre for Studies on the Application of Law (CESPAD), stated that material resources beyond the capacity of the peasant organizations, and considerable courage in the face of landlords' intimidation tactics, were required to thoroughly investigate many of the difficult cases. (Interview, San Salvador, June 1996).

Article 105 of the Constitution states that properties greater than 245h held in the form of a *sociedad colectiva* can be divided among the co-owners.

FMLN-SAA, "Informe del Estado Actual del Programa de Transferencia de los Excedentes de las 245 Hectáreas", June 19, 1996. The report gives two examples, in the departments of Ahuachapán and Sonsonate respectively. Information on most of the other anomalous findings come from interviews with Hilario Lopez, San Salvador, May 1996, June 1996 and February 1997, and from ADC reports to UN Sub-Secretary for Political Affairs, Alvaro De Soto, April 1996 and September

The GCN process was marked by on the part of ISTA by footdragging, corruption, and lack of political will to pursue clarity and justice. For though responsibility for the various ways in which the laws were violated was often diffuse and murky, ISTA failed to act decisively to implement the laws, and often colluded in their evasion. Confirming the common wisdom that high level appointments in ISTA were partisan, one longtime ISTA employee stated confidentially that political loyalties between the head of the Land Transfer Department, Luís González Amaya, and big landowners, superceded technicians' findings on some properties. This was highlighted by the case of a coffee estate in Santa Ana whose *excedente* ISTA declared to be forest reserve and therefore off limits to peasants, against the recommendations of ISTA staff who knew the surplus portion contained cultivable acreage. The owner continued to harvest the coffee in the property that ISTA had ostensibly expropriated, and at the same time enjoyed financial compensation of just over \$1 million.²⁴ Several other coffee estates with *excedentes* were also declared forest reserve.

Given ISTA's corrupt and partisan character, it is not surprising that it refused to deal with the myriad illegal transfers of *excedentes*, which it could conceivably have done, for example, by nullifying them or fining the owners. Instead, ISTA officials repeatedly suggested the ADC present such cases to the Supreme Court. As well, high level ISTA functionaries were frequently absent from GCN meetings when important documents were to be signed, and ISTA staff were often absent from technical team meetings. On several occasions this resulted in the process grinding to a halt, to be

1996.

Confidential interview with ISTA employee, August 1997. The estate, located in the municipality of Chalchuapa, was owned by the late Julieta Mendoza de Gros. According to the "*Acta de Intervencion*", which documents ISTA's expropriation of the surplus area, the owner was paid for an area measuring 371 hectares.

reactivated only after strenuous lobby efforts by the ADC and UN Mission staff. ISTA also stalled for months in revealing documentation relevant to the investigation process. Finally, a number of properties that the GCN had unequivocally deemed to have *excedentes* in late 1996 were shelved for months in ISTA.²⁵

The GCN's caseload was reduced to only 33 properties in December of 1996. The remainder -- said to be the most difficult cases -- were to be resolved by an investigative team of UN and PDDH personnel. This team had completed 53 of its 95 cases in August 1997 but had yet to release its findings.²⁶ Of the 33 cases the GCN was working on, by August 1997 two had been discarded, five were still being studied in the property registers, and 14 were under judicial analysis.²⁷ Meanwhile, despite the fact that ISTA's Judicial Office had confirmed the GCN's findings of twelve properties with *excedentes*, ISTA had not moved to expropriate any of them.

Analysis of the Land Struggle

(i) Meaningful Access to the Political System?

The forum of access to the political system that the peasants achieved with the GCN amounted to little more than a hearing with polity members. Moreover, the government repeatedly attempted to reduce this modest forum even further, while failing to take action on its findings. The literature suggests that given this situation, the peasants should eventually resume disruptive tactics

These problems are documented in ADC reports to Alvaro de Soto in April 1996, September 1996 and April 1997, as well as in FMLN letter to the Special Representative of the UN Secretary General (see note 21).

Interview with ANTA Secretary General Carlos Rodriguez, August 1997.

Documents provided by ISTA.

to demand that government comply with the laws on the *excedentes* and with the commitment it undertook when it agreed to form the GCN.

The threat of imprisonment stood as an effective deterrent to further land invasions. ADC leaders were clearly unwilling to expose their members to the consequences of the October 1995 revision to the penal code.²⁸ But the form of pre-emptive repression represented by the penal code, directed against a specific type of action, cannot explain why the ADC and its member organizations did not mobilize their bases in less disruptive tactics, such as marches, demonstrations, etc. Apart from a demonstration by about 100 ANTA members which blocked an intersection in downtown San Salvador for an hour in late January 1996, no other mass-based actions were conducted around the *excedentes*. Even a UN Mission member felt that the ADC was failing to do things that would "demonstrate to public opinion [and] to the international community that the Peace Accords haven't been fulfilled" with respect to the *excedentes*. In his view, the ADC made insufficient use of domestically available resources, including the offices of the reduced UN mission in the country, but also the U.S. Embassy and the Human Rights Ombudsman, as a means of pressuring the government. He even felt that UN offices and the GCN process itself were being used by government to "neutralize" the land struggle.²⁹ But why should that have been the case?

In and of itself, the GCN as a forum of access to the political system did not preclude the use of mass-based strategies of demand expression. Nor did the GCN lead to the cooptation of ADC

²⁸For example, in Assemblies convened in April and September 1996 for those of their members who were soliciting *excedentes*, ANTA leaders persuaded those in attendance that a new wave of land occupations was too risky given these special penal code provisions.

Interview with MINUSAL member, February 1996.

leaders, as the analysis by Piven and Cloward might predict.³⁰ But the GCN justified the postponement of disruptive actions, while creating a sense of success that was not entirely illusory. For the ADC leaders did try to make the GCN a meaningful point of access to the political system. But their principle tactic was to lobby the UN to represent their concerns to government through the its role in verifying the completion of the Peace Accords. Rather than relying solely on the UN Mission member participating in the GCN to perform this function, the ADC also reported its grievances about the GCN to UN Sub-Secretary for Political Affairs, Alvaro de Soto, who visited the country every three to four months after MINUSAL closed in April 1996 to monitor items outstanding from the Peace Accords.³¹

In lobbying the UN, the ADC leaders managed to keep the GCN functioning, although just barely. Their sense of success and the imperative of waiting for small victories to yeild results, can be clearly seen in the events of the autumn of 1996. After several weeks of stagnation in the GCN, the ADC's September report to De Soto prompted him to raise the issue in his scheduled meeting with Salvadorean President Calderón Sol. The President subsequently ordered his Peace Accords

³⁰In the winter of 1996, the government attempted to win the ADC's quiescence on the *excedentes* issue through an accord that allowed the ADC to participate in the government's search for a solution to the agrarian debt problem. The accord, signed by representatives of the government, the ADC, and several other peasant organizations, included a clause that somewhat ambiguously implied the ADC would refrain from public actions on the land question. In practice the government did not honour its commitment regarding peasant participation in debt legislation, and by March the agreement fell apart, with the ADC and many other peasant organizations and publicly denouncing the government's debt proposal. In any case, ADC leaders denied that the debt agreement prevented them from mobilizing around the *excedentes*.

³¹The fact that the *excedentes* issue had been left off the agenda of outstanding Peace Accord items, drawn up in 1994 by the Salvadorean government and the FMLN, necessitated special efforts to draw De Soto's attention to the matter.

Commissioner, retired army General Mauricio Vargas, to participate directly in the GCN. Not only did this result in an immediate resumption of GCN meetings, but for ADC leaders it represented the elevation of the *excedentes* issue on the government agenda.³² This was evident in an ANTA leader's statement to an assembly of ANTA members that month, "We have the government cornered now". In the same ANTA meeting, leaders called for the continued postponement of confrontational tactics given Vargas' recent incorporation in the GCN. The tactics they referred to included not only land occupations but marches, demonstrations, a media campaign to denounce ISTA's treatment of the GCN process, and the communication of grievances about high-ranking ISTA officials to the Attorney General and the Legislative Assembly. All of these were activities that ANTA leaders had discussed with the membership five months earlier as a necessary prelude to land occupations, but which for the most part they had not undertaken.³³

As time went on it became increasingly difficult for the ADC to take a tougher stance vis-à-vis the government regarding the *excedentes*. By January 1997, ADC leaders were far less sanguine about the direct participation of the Presidential Peace Accords Commissioner in the GCN, which they now saw as part of the government's plan to close the investigation process as quickly as possible

³²In the spring of 1997, the ADC presented another report (the third in a year) to De Soto complaining yet again of stagnation in the GCN process. While Vargas had been absent from the few GCN meetings that were held since the beginning of the year, nine properties that the GCN had determined to be *excedentes* remained shelved in ISTA since December. De Soto once again conveyed these grievances to the President, and by April Vargas was once again participating in GCN meetings.

³³Though ADC leaders had not followed through on the idea of a media campaign, they held occasional press conferences to denounce government's behaviour in the GCN. They had also communicated their concerns about the GCN to the US Embassy, the Human Rights Ombudsman Office, and all of the political parties in the Legislature including ARENA (interview with Carlos Rodríguez, June 1996). Some of these actions had been suggested to the ADC by UN personnel.

irrespective of the outcomes. Yet, they felt compelled to accept Vargas' proposal in December 1996 to transfer the bulk of the GCN's work to the UN-PDDH team. Clearly, the ADC's position in the land struggle was weak. This was partly because they lacked crucial allies.

(ii) Alliances

(a) Political Party Support: The FMLN

The capacity of the ADC to cultivate public sympathy for the land struggle and to pressure the government to take the investigation process seriously was limited by lack of support from within the polity, particularly from the FMLN, which had become a political party after the Peace Accords. The FMLN's role as a signatory of the Peace Accords, and its historic links with the peasant organizations involved in the land struggle, initially bestowed it with a natural advisory function vis-à-vis the ADC and a mediating capacity in the peasant-government dispute over the *excedentes*. Though privately the FMLN had opposed the timing of the 1995 land occupations, it publicized its support for the ADC's action in a half-page newspaper ad, and joined the UN in lobbying the government to reopen negotiations with the ADC.³⁴ In the legislature the party also opposed the ARENA government's punitive revision of the penal code. The Secretariat of Agrarian Affairs (SAA) of the FMLN participated initially in the GCN. But in early December 1995 he ceded to ISTA President's objection to his presence and left the GCN.³⁵ Though afterwards the SAA kept itself generally informed of the GCN situation through occasional fact-finding interviews with members and

The SAA summarized its observations of the land struggle up to the formation of the GCN in a report, "Current State of the Peace Accords: PTT, Human Rural Settlements and Proprietors with Surpluses of 245 Hectares", October 1995.

A communique from the SAA explained its departure from the GCN on the grounds that it did not want to provide government with further pretexts for stalling the process.

leaders of the ADC, it did not resume an active role.³⁶ The party itself remained essentially silent on the *excedentes* vis-à-vis the media and in the legislature, and for most of the first year after the GCN was formed did not take up the issue with UN.³⁷ One important exception was its request that the UN add the *excedentes* to its Verification Agenda in September 1996, an action whose repercussions on UN, government and public attention to the issue demonstrate how critical the party was to the movement's prospects.³⁸

That the FMLN was not an ally of the peasant organizations in the land struggle owes to the attitudes and behaviours of both the party and the ADC. While the ADC and its member organizations owe their existence largely to the FMLN, it is also true that the FMLN drew most of its combatants from the now extinct peasant organizations of the 1970s. But despite their historic links and ideological affinities, or perhaps more accurately, because of these links, relations between the FMLN and the ADC by the time of the 1995 land occupations had chilled. Underpinning their mutual ambivalence was a sensitivity on both their parts around the issue of the peasant organizations'

³⁶The SAA prepared a one-page summary of the GCN situation for the party, signalling ISTA's footdragging, in June 1996 ("Report on the Current State of the Excedentes Transfer Program,").

³⁷In the FMLN's April 1996 report, "Current State of the Accords not yet Executed", prepared at the time of MINUSAL's scheduled departure, there is only one line about the *excedentes*.

³⁸The FMLN's letter on agrarian problems to the Special Representative of the Secretary General of the UN in El Salvador, Ricardo Vigil, on September 12, 1996, reports that ISTA has been blocking the transfer of the *excedentes*. The letter also announces the FMLN's intention to reincorporate into the GCN. The *excedentes* issue, which had not been mentioned in earlier UN Secretary General's Reports on the state of the Salvadorean Peace Accords, appears in the Report of November 1996 (A/51/693, paragraph 19).

autonomy,³⁹ which had begun to surface some weeks before the land invasions. A lightning rod in this dispute was the Agricultural Forum. Though the ADC had collaborated with the FMLN in creating the Forum as a broader and more inclusive peasant coalition than the ADC could be, it withdrew from the effort in September 1995. As ADC leaders saw it, the Forum had become the FMLN's instrument for self-promotion in the agricultural sector, for the re-assertion of control over the peasant movement, and for attempting to destroy and replace the ADC.⁴⁰ A subsequent source of friction, at least from the point of view of ADC leaders, emerged over the ADC's rejection of the SAA's advice on mobilizational strategy early in the *excedentes* struggle.⁴¹ Early in 1996, ADC leaders were infuriated to learn from donor agencies in Europe that high-ranking members of the FMLN advised them to discontinue assistance to the ADC. An additional ADC grievance was the

Views within the FMLN on the question of autonomy vary. Ricardo Santamaria, the SAA member who participated most in the GCN, clearly saw autonomy as a kind of folly on the part of the organizations, a concept that was overblown and that in practice could not be achieved (interview, November, 1995). Raul Mijango, a member of the SAA who was elected to the Legislative Assembly in March 1997, held a more neutral view, acknowledging that the changing relation between the party and the organizations after the civil war was a natural but not always harmonious process (interview, November, 1995).

⁴⁰This impression on the part of ADC leaders was based partly on the inclusion of ADC enemies in the Forum's leadership, over ADC objections, particularly the leaders of the Association of Agricultural Workers of El Salvador (ATAES). According to ADC leaders, ATAES president Reynaldo García, who had been expelled from the ADC for corrupt handling of ADC funds among other grounds, used a Forum meeting in early September 1995 to denigrate the ADC. The Forum's membership included other organizations that had left the ADC.

It was because ISTA had already agreed to create the GCN in early October that the SAA advised holding off on invasions at that time (interview with SAA member Ricardo Santamaría, November 1995). But ISTA later backtracked, making it clear that it refused to discuss the *excedentes* with the ADC (interview with MINUSAL representative in the GCN, April 1996). Conversely in December, ADC leaders felt that the GCN still needed time to prove itself, hence new occupations were not an appropriate strategy. ADC leaders perceived irritation with both of these independent decisions on the part of the SAA.

party's failure to include the *excedentes* on the Verification Agenda in 1994.⁴² There is no doubt that these animosities kept the ADC leaders from seeking the party as an ally in the land struggle. This is clearly seen, for example, in the fact that the ADC did not protest the SAA's departure from the GCN.⁴³

The FMLN had its own rationale for withholding its support from the ADC in the land struggle. This can best be understood by comparing its avoidance of the land issue with its energetic support for the cancellation of the agrarian debt, support that it provided both through its role in the Legislative Assembly and through the participation of SAA members in the Agricultural Forum. The FMLN's sense of obligation was undoubtedly greater to those affected by the debt than toward peasants seeking land, due to its strong natural connection with former guerrillas and *tenedores* benefitting from the Peace Accords' Land Transfer Program (PTT). The debt issue also helped the party to establish ties with former government soldiers and to solidify links it already had with Agrarian Reform cooperatives, since organizations of both these sectors participated alongside the SAA in the Agricultural Forum.⁴⁴ Conversely, few landless peasants were represented in the

Interview with Eulogio Villalta, October 21, 1996. Antonio Alvarez, to whom Villalta attributed chief responsibility for the party's failure to put the *excedentes* on the Verification Agenda, had no real explanation for this fact, and downplayed its importance (interview, April 1996).

ADC leaders claimed to have been dismayed by the SAA's departure from the GCN but according to both the UN and SAA participants in the GCN, the ADC did not voice its discontent. Though they petitioned for the SAA's reincorporation the following September, the ADC leaders did not regard it as an effective source of pressure when it did participate. (Interviews with Eulogio Villata, Oct. 21, 1996, and Carlos Rodríguez, Jan. 15, 1997). The FMLN-SAA member did not attend GCN meetings regularly after December 1996.

⁴⁴The Veterans of War Foundation of El Salvador (FUNDAVISA) and the Association of Demobilized Armed Forces of El Salvador (ADEFSAES), two associations of former soldiers, and the Salvadorean Federation of Agrarian Reform Cooperatives (FESACORA), were all active participants in the Agricultural Forum and were represented in its leadership. Though it was created by the

Agricultural Forum. At the same time, due to the SAA's departure from the GNC and its difficulties with the ADC, the party was relatively disconnected from the plight of the landless.

Furthermore, since the late 1980s the FMLN's overall position had been moving steadily toward the centre, away from the socialist stance that marked its origins as a political-military organization. The demand for land reform, central to the old guerrilla platform, is out of step with the party's more moderate program. Given they were in the midst of the 1997 municipal and legislative elections, and with the momentous 1999 elections approaching -- which represented the FMLN's first real shot at the presidency -- the time was simply not right to take on the *excedentes* issue.⁴⁵ Conversely, since it encompasses interests that span from *micro-fundistas* to large agriculturalists, debt cancellation is arguably a much safer issue on which to attack the governing party. At least it leaves open the possibility of inter-party coalitions to defeat ARENA in the presidentials, whereas to alienate owners of holdings in excess of 245 hectares could spell the alienation of a number of right-wing parties lined up against ARENA.⁴⁶

government shortly after the Agrarian Reform, FESACORA, which united 180 cooperatives, had shifted to the left in the mid-1980s. In joining the Forum, FESACORA did not leave the ADC, and its dual membership irritated ADC leadership.

⁴⁵Boyce et al. (1995, p. 44) state that after undergoing a process of redefinition, the FMLN's objectives still included land reform by the close of the 1980s. But the party's 1996 socio-economic position statement, "El Plan del Frente para Lograr una Economía Productiva con Desarrollo Humano" (published in the *CoLatino*, April 15, 1996, p. 11), is harshly criticized by Aquiles Montoya, a well-known leftist economist at El Salvador's Catholic University, for its abandonment of redistributive reforms ("A Propósito de la Propuesta del FMLN," *CoLatino*, May 30, 1996, p. 14). The position statement does not mention land redistribution. Further research involving extensive interviews with FMLN leaders and elected members would be necessary for a more solid and nuanced perspective on the status of land reform in the party's internal position and strategy plans.

⁴⁶These include the Party of National Conciliation (PCN), the Liberal Democratic Party (PLD), the Christian Democratic Party (PDC), and others that may yet form as splinters from existing parties.

ADC leaders shrugged off the importance of FMLN support for the land struggle when questioned on the matter. But others saw the FMLN's lack of involvement as critical. From the perspective of one UN mission member, the ADC failed to grasp the seriousness of FMLN's departure from the land investigation process. In his view, "the contact between the ADC and the FMLN would have been positive in motivating them to act on things decided in the GCN, and to present [their demands] to the Legislative Assembly." He also believed that it would have helped to keep the *excedentes* issue on the public agenda much the way that the party was able to do for the debt issue.⁴⁷

Anyone doubting the importance of FMLN support need only look at its impact on the debt struggle. Largely because of the SAA's participation in the Forum, as well as the inclusion of economists, lawyers, and other professionals the Forum's leadership, the Forum made the peasant's position on the debt issue a matter of widespread public knowledge through seminars, televised debates, press conferences, a regular editorial column on agrarian issues, interviews, and the like. The media's selection of spokespersons conforms to Gamson's observations; from among those calling for debt cancellation, it was almost invariably the SAA and the middle class intellectuals of the Forum whose opinions the mainstream print and T.V. media solicited, as opposed to the peasant representatives in the Forum's leadership, or the leaders of the ADC.⁴⁸ Even though the ADC was the

Interview with MINUSAL member, April, 1996. María Silvia Guillén, an expert in agrarian law who was familiar with the GCN process, believed that FMLN advice would have improved the ADC's strategy decisions (Interview, June 1996).

⁴⁸The term "mainstream" is used to distinguish well-financed newspapers and T.V. news programs from the smaller media outlets such as the newspaper the *CoLatino*, community radio stations, and stations originally created by FMLN. These latter media gave frequent coverage to the ADC's

first to propose and mobilize around debt cancellation, it was virtually never consulted by the mainstream media. Had it not been for the FMLN's active support of the debt movement, it is doubtful that the call for cancellation would have captured public attention and debate, or more importantly, that it would have become a demand the government could not ignore. Conversely, in the case of the land struggle, the mainstream media virtually never covered the *excedentes* issue from the peasant perspective after the 1995 land occupations and peasant encampments.⁴⁹

The FMLN was also active around the debt in the Legislative Assembly. FMLN deputies transmitted the peasant organizations' criticisms of the government's debt discount laws of May 1996, and amplified their demands for new legislation. All the opposition parties parroted the call for debt cancellation during the 1997 election campaign, undoubtedly because the FMLN's position resonated with a significant proportion of the electorate, including Agrarian Reform and PTT beneficiaries as well as a number of large and medium farmers. Dissent and fragmentation within ARENA probably also contributed to this convergence; several ARENA deputies had recently defected to the Party of National Conciliation, the oldest party and the traditional choice of large agriculturalists before the

position on the land struggle and other agrarian issues.

⁴⁹The week of the land occupations, ADC leaders Eulogio Villalta and Carlos Rodríguez were interviewed regarding the *excedentes* on what was probably the country's most watched public affairs program, *Entrevista al Día*, enjoying the chance to frame the issue in detail during the entire hour and a half. ISTA Vice-President Moisés Daboub and ARENA deputy Walter Araujo, who had been invited to debate with ADC leaders but who had been unavailable, appeared on the program the following day. Well versed in the facts presented by the ADC, the interviewer essentially forced Daboub to admit that the government had indeed violated the Constitution (transcript of *Entrevista al Día*, November 1, 1995). Subsequently it was much more difficult for the peasant organizations to attract the media's attention to the land issue. For example, in July 1996, when ANTA called a press conference to give its point of view on the brutal expulsion of a group of its members from the property of Julieta Mendoza de Gros, which they had invaded upon learning that ISTA had already paid the owner for the surplus portion, no one arrived. The T.V. news programs that had covered the incident did so from a perspective sympathetic to the landowner, vilifying the ANTA peasants.

birth of ARENA. After the election, in which the FMLN obtained 27 seats in the Assembly (second only to ARENA), it worked to maintain the opposition's alignment around 100% cancellation within a special all-party parliamentary committee formed to study and make recommendations on the issue. Finally in early 1998, debt cancellation was approved by a majority in the Legislative Assembly, leaving ARENA isolated in its opposition to this option. Subsequently, though, the Legislature's decision was vetoed by the President.

(b) Support from International Actors: the UN

In recent decades, political affairs in El Salvador have been strongly influenced by the designs and actions of external actors. During the Cold War, US pressure and assistance made the Agrarian Reform possible, and helped the prolongation of the civil war. Though US pressure was also decisive in the Chapultepec Accords, the peace negotiation process that began in the 1980s reflected a multilateral configuration of foreign interests in El Salvador's fate. The Peace Accords of 1992 signify the Salvadorean government's consent to international oversight of the reforms that it is obliged to carry out. Though the UN had no enforcement capacity, it had the authority to signal areas of the Accords where more government attention and effort were needed.

UN authority vis-à-vis the Salvadorean government, and the role of the Observer Mission in the country, served as a resource that helped the land struggle to obtain the modest access that it did. Even though the *excedentes* were not part of the UN's Verification Agenda, it was largely the efforts of MINUSAL staff in charge of outstanding land transfer matters that opened the GCN and kept it functioning. At the time of the land occupations and for some weeks afterwards, MINUSAL staff made the GCN talks possible by moderating the hot-tempered exchanges between ISTA officials and ADC leaders. In addition to his reports on the GCN to UN Sub-Secretary of Political Affairs, one

MINUSAL member often took initiatives beyond his mandate to break deadlocks in the process. In the spring of 1996, he gave the President of the Republic an unsolicited verbal report on the lack of progress in the *excedentes*, which led to the reactivation of the GCN. UN Mission personnel also gave tactical advice to the ADC, recommending against land invasions but suggesting actions that would take greater advantage of available institutional support and draw public attention to the peasants' grievances with ISTA.

The UN Secretary General's recognition of the *excedentes* as an unfulfilled aspect of the Accords in its November 1996 report on El Salvador also provided the ADC with a resource for influencing public opinion and keeping the investigation open. It cannot be a coincidence that in the wake of the UN Sub-Secretary's next visit to the country, not only was another deadlock in the GCN broken, but the mainstream print media also gave indepth coverage to the *excedentes* issue for the first time since 1995.⁵⁰ But this resource was not enough to push the issue further in the government's agenda.

(ii) The Social Movement Sector

Given that Agrarian Reform beneficiaries are the largest sector to be represented in the ADC, it has a natural concern with the agrarian debt.⁵¹ But the debt is also of concern to each of the six ADC organizations involved in the *excedentes* struggle, since their membership includes beneficiaries of the third phase of the Reform and of the PTT. The land and debt movements competed for

⁵⁰*La Prensa Gráfica*, "Reactivan Grupo de Trabajo 245: Se Revisan 103 Terrenos Excedentarias", p. 8A, (Saturday, May 10, 1997).

⁵¹The ADC's membership included five federations of Agrarian Reform cooperatives, including FESACORA and four others -- FECORAO, FECORACEN, FECORAPCEN, FECORASAL -- that correspond to the four regions of the country.

organizational infrastructure, leadership, and the participation of individual members. This competition is evident in the ADC leaders' own explanations for the absence of strong mobilization on behalf of their land demands. In the first place, their efforts and energies as leaders were consumed by the exigencies of responding to the debt issue. But they also stated that they feared "diluting" their debt demands with public actions around the *excedentes*.⁵²

Within the ADC and its member organizations, the importance of the debt movement derives not only from the proportions of their membership with unpaid (and unpayable) debts. The ADC shared with virtually all other peasant organizations the sense of urgency to act swiftly and forcefully to propose their own solutions to the debt problem. The ARENA government's plan to devise a debt recovery scheme had been widely known since 1994, and since 1991 it had passed several laws that eroded collective land ownership in the the Agrarian Reform cooperatives and that attempted to do away with the "special regime" that governed land in the Reform sector. Like other peasant leaders and progressive analysts of agrarian policy, ADC leaders believed that the government planned to use the recovery of outstanding debts to dismantle the first phase of the Reform once and for all, in order to recuperate select lands for private, non-agricultural uses.

After the debt discount laws of May 1996, which represented the government's initial response to the proposals of the ADC and the Agricultural Forum, the sense of urgency regarding the debt remained. Though the policies were a crude reflection of the peasants' demands, they stimulated further mobilization both because they were so dissatisfactory, and because they demonstrated that the movement had had some kind of impact. Moreover, that the laws gave debtor cooperatives and individuals only six months to benefit from the partial discount necessitated efforts to extend the

⁵²Interview with Eulogio Villalta, October 1996, and with Carlos Rodríguez, May 1996.

deadline while revising and reiterating counterproposals.

Within the ADC, resources for mass-based mobilization were limited. Occasionally it received financial support from local and foreign donors for sound equipment, banners, transportation and the like.⁵³ But just as important a resource was the participation of the individual members, which hinges both on the resources of the peasant household and on leadership decisions as to how to allocate the available human capacity. Though it would be difficult to estimate their numbers with accuracy, landless and landpoor members of the ADC were present in all of the debt marches. ADC leaders wanted the largest possible turnout for these activities. For Salvadorean peasants, spending a day in the capital city entails considerable sacrifice and expense. Landless peasants and those residing in remote areas have a greater relative burden, even when their association can subsidize transportation costs. ADC leaders probably surmised that their landless members could not be expected to participate in separate activities for both the *excedentes* and the debt.

On the part of the individuals waiting for results of the land investigation, there were a variety of reasons for participating in the debt mobilizations. Many believed (probably erroneously) that as recipients of the *excedentes* they would benefit from the cancellation of land debts. Many felt a sense of solidarity toward those affected by the debt, and participated in the marches knowing that the *excedentes* were not included in the agenda of demands presented at the Legislative Assembly. But some landless peasants were advised by cadres of their organizations that upcoming mobilizations would combine land and debt demands, which in fact was never the case.⁵⁴ Whether these middle-

⁵³For example, the Permanent Commission for National Debate [CPDN] donated about \$1 thousand to the ADC for the debt mobilization of July 1997.

⁵⁴This was observed in several regional meetings of ANTA. It is not clear how widespread a phenomenon this was, but in the debt marches one could usually observe a number of banners, carried

level leaders consciously misled peasants about representation of land demands in the debt marches, or were themselves poorly informed of strategy decisions in their organizations, is not clear. While there is no reason to believe that there was an organizational policy to deceive anyone, leaders failed to make clear to their landless bases that mass-based protest around the *excedentes* was to be subordinated to a resolution of the debt problem.

Conclusion

In confronting landowners and the authorities, the men and women who invaded agricultural properties in 1995 armed with only their knowledge of the laws and the faith that the Constitution and Peace Accords would be respected, moved the Salvadorean government to institutionalize a procedure for the resolution of their claims. The outcomes and evolution of their struggle are instructive for analysts of the political opportunities for social movements, and perhaps for movement strategists as well. Though the tendency identified by Piven and Cloward for governments to neutralize the disruptive tactics of lower class movements is observable in the land struggle, the leaders of the ADC were not coopted. Rather, they became mired in the exigencies of showing good faith in the investigation process. This was due to their apparent lack of foresight as to how and when to demand a greater level of access to the political system, and indeed whether they could demand more, given the third party support they could count on to help them pressure the government, and the competing claims on the resources required for further mobilization.

The social movement environment of the land struggle shows that in the study of peasant movements, different strands need to be specified and examined separately. Organizations that unite different interests and social strata can be home to different movements, which, despite their unifying

by local base groups, calling for the transfer of the *excedentes*.

structures, can compete over crucial resources.

In analysing third party support for the *excedentes movement*, the politically charged nature of the peasants' demands cannot be forgotten. Regarding the coffee estates in the western half of El Salvador, Jeffery Paige muses that "only a revolution could redistribute this land, and the FMLN has abandoned this road in order to accept parliamentary democracy" (1996, p. 137). While the FMLN could have supported the *excedentes* struggle within the parliamentary system, this fit poorly in what can be discerned of their program. Despite the persistence of rural poverty and the concentration of productive land, the abandonment of land reform as a viable development policy for Latin America is a much wider phenomenon, one by which the FMLN cannot help but be influenced.

The land struggle was shaped not only by political opportunities but also by the micro-level features of the movement and internal phenomena of the peasant organizations. Communication patterns between base and leadership, and the peasants' material circumstances and motivations, need to be addressed for a full understanding of how the opportunity structure interacted with the internal aspects of the movement. These questions remain a subject for a separate discussion.

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List of Spanish Acronyms

ADC - Democratic Peasant Alliance

ANTA - National Association of Agricultural Workers

ARENA - National Republican Alliance

C-245 - Commission for the Investigation and Transfer of Surpluses of 245 Hectares

CEA-COPAZ - Special Agrarian Committee of the Commission for Peace

FINATA - National Financier of Agricultural Lands

FMLN - Farabundo Martí National Liberation Front

FMLN-SAA - Secretariat of Agrarian Affairs of the FMLN

GCN - National Joint Group for Follow-up on the Transfer of Surpluses of 245 Hectares

ISTA - Salvadorean Institute of Agrarian Transformation

MINUSAL - United Nations Mission in El Salvador

ONUSAL - United Nations Observer Mission in El Salvador

ONUV - United Nations Verification Office

PDDH - Human Rights Ombudsman's Office

PTT - Land Transfer Program